

REMARKS

This Amendment A is submitted in response to the Non-final Office Action of October 11, 2005 and following a subsequent telephone interview with the Examiner on January 20, 2006.

The Examiner essentially confirmed and repeated the arguments for his rejection of claims 1-30 from the previous Final Office Action of May 27, 2005 adding an additional quote for newly introduced limitations in independent claims (e.g., claims 1, 19, 27-29).

The purpose of the telephone interview was to convince the Examiner to allow the case as is, and clarify some statements made in the Office Action of May 27, 2005 for a possibility of amending claims for allowance.

In the Response to Arguments section on page 20 of the Office Action of October 11, 2005, the Examiner states that "Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims". Also the Examiner stated on page 20 of the Office Action of October 11, 2005 that "It is noted that the features upon which applicant relies (i.e., "MM is sent to the recipient **directly** and not stored on a remote location") are not recited in the rejected claims.

During the telephone interview conducted on January 20, 2006, the Examiner basically agreed that reciting properly this point (that MMSS signal 20 is sent directly to the receiving terminal 22) and also explicitly pointing out that the URL signal, indicative of the software needed for

rendering the multimedia message and directly sent to the receiving terminal (22) as a part of the MMSS signal 20, will separate the present invention from the prior art references quoted in the Non-final Office Action of October 11, 2005. Claims 1, 19, 27-29 are amended accordingly to include the above clarifications of the invention.

Furthermore, all of the above recitations clarified in the independent claims 1, 19, 27-29 are fully supported by the specification, see pages 8 and 9, and by figure 1 clearly showing that the MMSS signal 20 comprising the URL signal is sent directly to the receiving terminal 22.

Also claims 31 and 32 are added as new claims to further clarify the invention regarding the URL signal (e.g., see page 8, lines 12-14 for support of these claims in the specification of the present patent application).

The Applicant also wants to stress again the limitations introduced in the independent claims 1, 19, 27-29 in the Amendment with RCE submitted on August 18, 2005 regarding "evaluating by a multimedia messaging service center whether it is appropriate to adapt originally unsupported components of a multimedia message to meet capabilities of a receiving terminal before providing said multimedia message to said receiving terminal". This feature is novel compared to paragraph 102 of Kirani et al. quoted by the Examiner during the telephone interview on January 20, 2006. In the present invention the quoted step is "evaluating possibility for adaptation and adapting yet, whereas Kirani et al. described the adaptation process itself. The difference can be clearly seen from a further description of the said "evaluating" provided on page 7, lines 22-30 of the patent application stating that:

"If, on the other hand the receiving terminal **22** does not support all of the components of the MMS **12**, the MMSC **14** decides if it is more appropriate to adapt the unsupported components to the existing receiving terminal **22** capabilities (through quality reduction, image resolution reduction, format conversion, etc.), or to provide information to the receiving terminal **22** about the location of software that would allow it to support those components, or to do both (e.g. convert to a format that is not supported by the terminal, giving a better user experience compared to converting to a supported format, and for which software exists for the terminal to render it)."

Consideration and allowance of all claims are respectively requested.

Respectfully submitted,



Anatoly Frenkel
Agent for the Applicant
Registration No. 54,106

February 21, 2006

AZF

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, PO Box 224
Monroe CT 06468
203) 261-1234